



State of New Hampshire  
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095

(603) 271-2900 FAX (603) 271-2456

December 30, 2002



**CERTIFIED MAIL**  
**7099 3400 0002 9774 1655**  
**RETURN RECEIPT REQUESTED**

**AMENDMENT TO**  
**LETTER OF DEFICIENCY**  
**No. WMD 02-014**

Thompson Center Arms Company, Inc  
P.O. Box 5002, Farmington Road  
Rochester, New Hampshire 03867

Attn: Mr. Henry E. Soucy, Environmental Health and Safety Director

**Re: Thompson Center Arms Company, Inc.**  
**Rochester, New Hampshire**  
**EPA ID # NHD002059525**

Dear Mr. Soucy:

On February 22 & 25, 2002, the Department of Environmental Services, Waste Management Division (DES) conducted an inspection of Thompson Center Arms Company, Inc. (Thompson). The purpose of the inspection was to determine Thompson's compliance status relative to RSA Ch. 147-A and the New Hampshire Hazardous Waste Rules, Env-Wm 100-1100.

As a result of the inspection, DES issued Letter of Deficiency No. WMD 02-014 (LoD) to Thompson on April 9, 2002. DES subsequently received your responses to the LoD on May 13, 2002 and August 12, 2002. The deficiencies outlined in the LoD have been adequately addressed by your submittals. However, your response to Item #1 of the LoD, hazardous waste determination, indicates that the administrative rules pertaining to Limited Permits (Env-Wm 353.04) are applicable to the operation of your wastewater treatment unit (WWTU).

Accordingly, the LoD is hereby amended to add the following deficiency in your hazardous waste management program to the list of deficiencies documented in the LoD:

**1 RSA 147-A:4/Env-Wm 353.04 – Limited Permit**

At the time of the inspection, Thompson was operating a WWTU without a Limited Permit.

During the inspection, Thompson personnel indicated that the following waste streams were treated in the WWTU: "Blueing/ Black Oxide Line rinse water", "Kolene (Caustic dip) process rinse water", "Oxalic Acid/ water mixture" and "Muriatic Acid waste". The waste determination analytical data from Microbac Laboratories, Inc. included in your August 12, 2002 submittal indicated that the "Muriatic Acid waste" and the "Oxalic Acid/ water mixture" are characteristic hazardous wastes. Specifically, the August 12, 2002 submittal confirmed that the "Muriatic Acid waste" as well as the "Oxalic Acid/ water mixture" possess the characteristic of toxicity established in Env-Wm 403.06 based upon pre-treatment levels of chromium in excess of regulatory thresholds (68 mg/L and 7 mg/L respectively). Additionally, your May 13, 2002 submittal confirmed that the "Muriatic Acid waste" exhibits the characteristic of corrosivity (Env-Wm 403.04) due to a pre-treatment pH level less than 2.

Therefore, at the time of the inspection, Thompson was operating a WWTU which is a hazardous waste treatment facility within the definition of RSA 147-A:2, IV because it treats influent waste waters that are hazardous waste as defined in Env-Wm 400 (*i.e.*, corrosive and toxicity characteristic). DES has no record of receiving a Limited Permit application form from Thompson for the WWTU.

RSA 147-A:4, I requires any person who wishes to operate a hazardous waste treatment facility to first obtain a Limited Permit for a WWTU provided the operator meets the conditions specified in Env-Wm 353.04(b) through (o), including submission of a Limited Permit application form. Initial applications are subject to a \$500.00 fee, as referenced by Env-Wm 353.07(d).

If Thompson wishes to continue to treat hazardous wastes in the WWTU, then DES requests that Thompson obtain a Limited Permit for the WWTU by complying with the requirements of Env-Wm 353.04(c), which include submitting the enclosed New Hampshire Limited Permit application form to DES.

Additionally, please provide the following:

- a A written estimate of the quantities of "Oxalic Acid/ water mixture" and "Muriatic Acid waste" that are treated in the WWTU on a per month basis.
- b A copy of an authorized wastewater discharge permit with the Town of Rochester

The date when each of these waste streams were initially treated in the WWTU

Furthermore, as stated in your letter, received by DES on August 12, 2002, you have "reviewed the RCRA Training Requirements" and at the time of the letter, you were "seeking available courses to meet this requirement". Please provide documentation verifying that you have received the appropriate training.

Before a Letter of Compliance for the LoD can be issued, Thompson will need to address the above-listed items. DES believes the items outlined in this letter can be addressed and a report describing the corrective measures taken by Thompson can be submitted within thirty (30) days of receipt of this letter. Supporting documentation describing the measures taken to achieve compliance should be included with the report.

If you have any questions on this letter, please feel free to call Eric Abrams, Waste Management Specialist or John J. Duclos, Supervisor of the Hazardous Waste Compliance Section, at 271-2942. Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth W. Marschner", is written over a large, bold, black "COPY" stamp.

Kenneth W. Marschner, Administrator  
Waste Management Programs  
Waste Management Division

RCRA/DB/LOD  
Phillip J. O'Brien, Ph.D., P.G., Director, WMD  
Gretchen Rule, Esq., Administrator, DES Legal Unit  
Mike Haley, Plant Engineer, Thompson Center Arms  
Robert Gustafson, President, Thompson Center Arms  
Wendy Bonner, DES, Waste Management Engineer

-mail: JJD/SD/SD/PM

Inclosed: Limited Permit Application